

EXHIBIT

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
ex rel.; CORI RIGSBY; RELATORS/
AND KERRI RIGSBY COUNTER-DEFENDANTS

V. CASE NO. 1:06-cv-433-LTS-RHW

STATE FARM MUTUAL DEFENDANT/
INSURANCE COMPANY COUNTER-PLAINTIFF

and

FORENSIC ANALYSIS ENGINEERING
CORPORATION; EXPONENT, INC.;
HAAG ENGINEERING CO.; JADE
ENGINEERING; RIMKUS CONSULTING
GROUP, INC.; STRUCTURES GROUP;
E.A. RENFROE, INC.; JANA RENFROE;
GENE RENFROE; AND ALEXIS KING DEFENDANTS

VIDEOTAPED DEPOSITION OF THOMAS MCINTOSH

Taken at Butler, Snow, O'Mara, Stevens & Cannada, Whitney National Bank Building, 1300 25th Avenue, Suite 204, Gulfport, Mississippi, on Wednesday, May 5, 2010, beginning at 9:16 a.m.

REPORTED BY:

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15 REPRESENTING THE WITNESS

16 ALSO PRESENT: David Gipson, Videographer
Kerri Rigsby

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1 triangular -- is that a window?

2 A. Yes.

3 Q. Was that window boarded up when you left
4 for Destin before the hurricane?

5 A. I don't believe so.

6 Q. Was that window broken in the storm?

7 A. No.

8 Q. The -- it appears in the top of this
9 Photograph 23 that a section of the ceiling in the
10 great room has been removed, cut out in a
11 rectangular fashion; is that correct?

12 A. Yes.

13 Q. Is that the same section we looked at
14 earlier, or is that a different section of the
15 ceiling that was cut out?

16 A. Same.

17 Q. The same thing?

18 A. The same section.

19 Q. Okay. And as I understand your
20 testimony, that was cut out because there had been
21 a leak in an air-conditioning unit?

22 A. Correct.

23 Q. And the leak existed before Hurricane
24 Katrina; is that right?

25 A. Repairs were being done that week.

1 Q. Was -- was that section of the ceiling,
2 had that already been cut out before Katrina?

3 A. Yes.

4 Q. Section -- I'm sorry. Photograph 24 of
5 Exhibit 11, is that looking from the breakfast
6 area into the great room?

7 A. Yes.

8 Q. I see some wires hanging in a cabinet
9 without doors. Is that the wiring you mentioned
10 that was to the music system, the surround sound
11 system?

12 A. Yes.

13 Q. And it goes from the cabinet back into
14 the wall and then -- or throughout the walls to
15 the five or six speakers?

16 A. Inside, outside, yes, wherever we had
17 speakers.

18 Q. Were there some speakers outside, too?

19 A. Yes.

20 Q. Photograph 25 of Exhibit 11 is the other
21 end of the great room looking into -- what's that
22 open door on the right? Is that the utility room
23 that --

24 A. Yes.

25 Q. -- you're looking into?